

ASSEMBLY BILL

No. 526

Introduced by Assembly Member Fuentes

February 25, 2009

An act to add Article 14 (commencing with Section 2340) to Chapter 5 of Division 2 of the Business and Professions Code, relating to physicians and surgeons.

LEGISLATIVE COUNSEL'S DIGEST

AB 526, as introduced, Fuentes. Public Protection and Physician Health Program Act of 2009.

Existing law establishes in the Department of Consumer Affairs the Substance Abuse Coordination Committee, comprised of the executive officers of the department's healing arts boards, as specified, and a designee of the State Department of Alcohol and Drug Programs. Existing law requires the committee to formulate, by January 1, 2010, uniform and specific standards in specified areas that each healing arts board shall use in dealing with substance-abusing licensees. The Medical Practice Act establishes in the Department of Consumer Affairs the Medical Board of California which provides for the licensure and regulation of physicians and surgeons.

This bill would enact the Public Protection and Physician Health Program Act of 2009, and would make specified findings and declarations in that regard.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature hereby finds and declares that:

2 (a) The protection of the public from harm by physicians and
3 surgeons who may be impaired by alcohol or substance abuse or
4 dependence or mental disorder is paramount.

5 (b) It is essential for the public interest and the public health,
6 safety, and welfare to focus on early intervention, assessment,
7 monitoring, and treatment of physicians and surgeons with
8 significant health impairments that may impact their ability to
9 practice.

10 (c) It is necessary to create a program in California that will
11 permit physicians and surgeons to obtain treatment and monitoring
12 of alcohol or substance abuse or dependence or mental disorder
13 recovery so that they do not treat patients while impaired.

14 SEC. 2. Article 14 (commencing with Section 2340) is added
15 to Chapter 5 of Division 2 of the Business and Professions Code,
16 to read:

17
18 Article 14. Public Protection and Physician Health Program

19
20 2340. This article shall be known and may be cited as the Public
21 Protection and Physician Health Program Act of 2009.